

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barry Goldenberg et al. Examiner: Richard C. Weisberger
Application No.: 10/672,379
Filing Date: September 26, 2003 Art Unit: 3624
For: ELECTRONIC INQUIRY LISTS FOR FINANCIAL PRODUCTS

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT

This statement is being submitted upon the request of Examiner Weisberger.

To the best of my knowledge, the prior system used by the assignee of the present application, namely MarketAxess' Fixed Income Client to Multi-Dealer Disclosed Trading System, did not include the list trading feature of the presently claimed invention. The list trading feature of the presently claimed invention was developed subsequent to MarketAxess' Fixed Income Client to Multi-Dealer Disclosed Trading System.

To the best of my knowledge, the presently claimed invention was not in public use by the assignee of the present application in the United States prior to September 26, 2002.

To the best of my knowledge, the presently claimed invention was not in public use by the assignee of the present application in the United States prior to September 26, 2002 as described in Claims 1, 2, 16-45, and 47-75.

For example, current claim 1 recites the following features in combination that, to the best of my knowledge, were not in public use by the assignee of the present application as stated above:

1. A method implemented by a computer system for the trading, buying or selling, of lists of independent bonds at independent quantities between at least one initiator and one or more respondents, said method comprising:
 - a) displaying a list creation state comprising a list of bonds of buying or selling interest with select volumes, wherein:
 - for each bond on the list, the displayed list creation state includes at least one region for inputting bond data, the bond data comprising: a pricing option (one-step, standard, or phone), a bond identifier, a list type, a size, counterparties, a "response due" time, and a "response good for" time;

the displayed list creation state includes at least one region for inputting respondents to transmit the list of bonds; and
the system verifies that a pre-defined relationship exists between the initiator and the respondents;

b) generating and transmitting an alert to the respondents that the list has been submitted;

b') displaying a list response wherein the list response state, includes at least one region for entering at least one response (offers or bids) on one or more bonds on the list, on a bond-by-bond basis, wherein the at least one response comprises at least one of: independent spreads, yields, discount margins, and prices in the volumes requested;

b'') holding in at least one database the at least one response from being provided to the initiator until a predetermined time of a timer has elapsed;

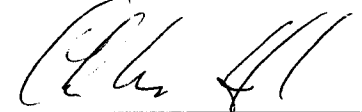
c) displaying a list trade state, wherein the displayed list trade state, includes at least one region for viewing and executing a trade (by at least one of hitting, lifting, and passing) on one or more bonds on the list, on a bond-by-bond basis at independent and select spreads, yields, discount margins or prices for each bond where the at least one response was received;

d) verifying whether at least one of: spread to benchmark, benchmark spot price, and benchmark spot yield have already been agreed for securities that trade on yield or discount margin;

d') in response to verifying, displaying a list pricing state, wherein the list pricing state includes at least one region that allows the initiator to generate a request to the respondent-for a final price for each traded; and

e) generating, in a list complete state, a notification that is transmitted to the initiator and respondents that provided the at least one response, the notification indicating that each bond on the list has reached a final state in which the bond was traded or not traded, wherein each state of the list transitions to another state based on at least one of the timer and an action performed by one of the initiator and the respondent.

I hereby state that all statements made herein are made to the best of my knowledge and are believed to be true.



Charles Hood
General Counsel
MarketAxess Holdings Inc.



Date: April 28, 2008